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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

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|-------------------------|---------------------------|
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| | : |
| | : CASE NO.: 18-24461 |
| IN RE: | : |
| | : CHAPTER: 11 |
| Tosca Kinchelow Schmidt | : |
| | : HON. JUDGE.: |
| Debtors | : Rosemary Gambardella |
| | : |
| | : HEARING DATE: |
| | : |
| | : May 5, 2020 at 10:00 AM |
| | : |
| ----- | X |

NOTICE OF MOTION FOR RELIEF FROM AUTOMATIC STAY

PLEASE TAKE NOTICE, that upon the application SN Servicing Corporation as Servicer for US Bank Trust National Association as Trustee of the Cabana Series IV Trust, the undersigned shall move this Court for an Order, pursuant to 11 U.S.C. 362(d)(1) and 11 U.S.C. 362(d)(2), vacating the automatic stay to permit movant, its successors and/or assigns, to enforce its mortgage on the Debtor's premises located at 471 East Saddle River Road, Ridgewood, NJ 07450 and for such other and further relief as is just and proper.

This motion shall be heard at the United States Bankruptcy Court, District of New Jersey 50 Walnut Street, 3rd Floor, Newark, NJ 07102, on May 5, 2020 at 10:00 AM or as soon thereafter as counsel may be heard.

PLEASE TAKE FURTHER NOTICE, that answering affidavits, if any, must be served so as to be received not later than seven (7) days before the return date of this motion. If you mail your response to the Court for filing, you must mail it early enough so that the Court will receive it by the date stated above.

Pursuant to D.N.J. LBR 4001-1 et seq the movant waives oral argument and the court may not hold a hearing unless opposition papers are timely filed. Pursuant to D.N.J. LBR 9013-1(d) et seq., if you wish to contest the within motion, you must file with the Office of the Clerk of the Bankruptcy Court, responding papers stating with particularity the basis of your opposition to the within Motion. A copy of the proposed Order which is sought is enclosed with this Motion.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the motion and may enter an order granting relief from the automatic stay.

Statement of Non-Necessity of Brief: The movant certifies pursuant to D.N.J. LBR 9013-2 that the within motion involves common questions of law and fact and does not involve complex or novel issues such as to require the submission of a legal brief.

Dated: New York, NY
April 8, 2020

By: /s/ Jonathan Schwalb
Jonathan Schwalb, Esq.
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